



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
126 816	07/31/98	VON EICHELSTREIBER	FM254992

WILLSBURY MADISON & SUTRO  
1500 NEW YORK AVENUE NW  
NINTH FLOOR EAST TOWER  
WASHINGTON DC 20005-2919

0242/0818

NOT ASSIGNED

1643

**BEST AVAILABLE COPY**

DATE MAILED: 08/18/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

☒ All required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1272.

- ☐ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.  
\$ 82 for 1 independent claims over 3.

10/26/1998 ASSELMAN 00000014 09126816 dependent claims over 20.

- 01 FC:101 \$ 270 for 700 multiple dependent claim surcharge.  
02 FC:105 Applicant must either 130.00 or the additional claim fees or cancel additional claims for which fees are due.  
03 FC:106 82.00 OP

- ☒ 3. The oath or declaration:  
☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*K. Amick*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)  
For Design, Provisional, or Utility Applications

PATENT  
APPLICATION

**COMPLETION Under**  
**Rule 53(f)**

In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): VON EICHELSTREIBER et al.

Appln. No.: 09 126,816  
Series Code  $\uparrow$  Serial No.  $\uparrow$

Filed: July 31, 1998

Title: METHOD OF INACTIVATION . . .

Atty.Dkt.	PMS	254992	96/23PH/SA
		M#	Client Ref
(Our Deposit Account No. 03-3975)			
(Our order No.	11468		254992
	C#		M#

Date: October 19, 1998

Hon. Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.3. ☐ Specification originally filed in non-English language; hence verified translation attached of:a. ☐ Abstractb. #  pages of Specification (only spec. & claims)c. ☐ Drawing  
Fig(s).                     4. ☐ Letter filing formal drawing attached.5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) PCT/EP97/00426	January 31, 1997	(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in EUROPE

Application No.	Filing Date	Application No.	Filing Date
(1) 96 101469.3	February 2, 1996	(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

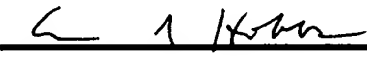
9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / filed on \_\_\_\_\_
10. ☐ Attached: \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11. ☐ Attached:
12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . . Design Application				\$330/\$165		106/26
Not Design Application				\$790/\$395	+790	101/201
14. Total Effective Claims	11	minus 20 =	0	x \$22/\$11	+0	103/203
15. Independent Claims	4	minus 3 =	1	x \$82/\$41	+82	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$270/\$135	+0	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. FILING FEE ENCLOSED =				\$1002		
19. Original due date: OCTOBER 18, 1998						
20. Petition is hereby made to extend the <u>original</u> due date to				(1 mo)	\$110/\$55 =	+0
cover the date this response is filed for which the requisite fee				(2mos)	\$400/\$200 =	115/215
is attached				(3mos)	\$950/\$475 =	116/216
				(4mos)	\$1510/\$755 =	117/217
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	118/218
22. If "assignment" box 5 is X'd, add recording fee. . . . .				\$40	+40	139
23. Petition Fee for				\$130	+0	581
24. TOTAL FEE ENCLOSED =				\$1042		

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

1100 New York Avenue, N.W.  
Ninth Floor East Tower  
Washington, D.C. 20005-3918  
Tel: (202) 861-3000  
Atty/Sec: ASH/maf

Pillsbury Madison & Sutro LLP  
Intellectual Property Group  
By: Atty: Ann S. Hobbs  
Sig: 

Reg. No. 36830  
Fax: (202) 822-0944  
Tel: (202) 861-3063

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)  
For Design, Provisional, or Utility ApplicationsPATENT  
APPLICATION**COMPLETION Under**  
**Rule 53(f)**In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): VON EICHELSTREIBER et al.

Appln. No.: 09 | 126,816  
Series Code ↑ | Serial No. ↑

Filed: July 31, 1998

Title: METHOD OF INACTIVATION ...

Atty.Dkt.	PMS	254992	96/23PH/SA
		M#	Client Ref
(Our Deposit Account No. 03-3975)			
(Our order No.		11468	254992
		C#	M#

Date: October 19, 1998

Hon. Commisioner of Patents and Trademarks  
Washington,DC 20231

Sir:

The following **completes the filing** under **Rule 53(f)** of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. #  pages of Specification(only spec. & claims)
- c. ☐ Drawing Fig(s). \_\_\_\_\_
4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) PCT/EP97/00426	January 31, 1997	(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in EUROPE

Application No.	Filing Date	Application No.	Filing Date
(1) 96 101469.3	February 2, 1996	(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
10. ☐ Attached: \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11. ☐ Attached:
12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee .....				Design Application Not Design Application	\$330/\$165 \$790/\$395	106/26 101/201
14. Total Effective Claims	11	minus 20 =	0	x \$22/\$11	+0	103/203
15. Independent Claims	4	minus 3 =	1	x \$82/\$41	+82	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$270/\$135	+0	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. <b>FILING FEE ENCLOSED =</b>				<b>\$1002</b>		
19. <b>Original due date:</b> OCTOBER 18, 1998						
20. <b>Petition is hereby made</b> to extend the <u>original</u> due date to				(1 mo)	\$110/\$55 =	+0
cover the date this response is filed for which the requisite fee				(2mos)	\$400/\$200 =	115/215
is attached				(3mos)	\$950/\$475 =	116/216
				(4mos)	\$1510/\$755 =	117/217
						118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee .....				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee. ....				\$40	+40	581
23. Petition Fee for				\$130	+0	
24. <b>TOTAL FEE ENCLOSED =</b>				<b>\$1042</b>		

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. **This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

**Pillsbury Madison & Sutro LLP**  
**Intellectual Property Group**

1100 New York Avenue, N.W.  
Ninth Floor East Tower  
Washington, D.C. 20005-3918  
Tel: (202) 861-3000  
Atty/Sec: ASH/maf

By: Atty: Ann S. Hobbs

Sig: 

Reg. No. 36830

Fax: (202) 822-0944  
Tel: (202) 861-3063

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**